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OFFICE OF PETITIONS

In re Patent No. 7,172,905 : DECISION ON REQUEST
Mrksich et al. : FOR RECONSIDERATION OF
Issue Date: February 6, 2007 : PATENT TERM ADJUSTMENT
Application No. 09/923,760 : and
Filed: August 7, 2001 : NOTICE OF INTENT TO ISSUE
Attorney Docket No. 7814/45 : CERTIFICATE OF CORRECTION

This is a decision on the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT PURSUANT TO 37 C.F.R. § 1.705(d)," filed April 2, 2007. Patentees request that the patent term adjustment indicated in the patent be corrected from four hundred sixty-eight (468) days to five hundred thirty-three (533) days.

The request for reconsideration of the patent term adjustment indicated in the patent is GRANTED.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of five hundred thirty-three (533) days.

On February 6, 2007, the above-identified application matured into U.S. Patent No. 7,172,905. The instant request for reconsideration filed April 2, 2007 was timely filed within 2 months of the date the patent issued. See § 1.705(d). The Patent issued with a revised Patent Term Adjustment of 468 days. Patentee disputes the reduction of 65 days due to "Workflow-Drawings finished" as no drawings were filed after the mailing of the notice of allowance.

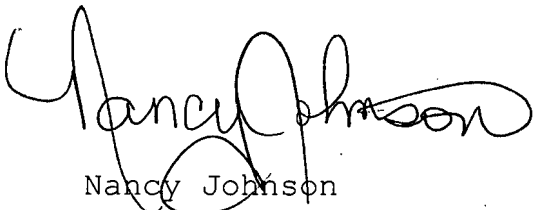
A review of the PALM calculations for this application reveals that a period of reduction of 65 days was entered for applicants' submission of drawings after the mailing of the notice of allowance. See 37 C.F.R. § 1.704(c)(10). However, a review of the application record supports a conclusion that no drawings (or any other paper, aside from the instant petition and payment of the issue fee) were filed in this application after the mailing of the notice of allowance.

In view thereof, the patent term adjustment indicated in the patent should have been five hundred thirty-three (533) days.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **FIVE HUNDRED THIRTY-THREE (533)** days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" and last name "Johnson" clearly distinguishable.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,172,905 B2
DATED : February 6, 2007
INVENTOR(S) : Mrksich et al.

DRAFT

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (468) days

Delete the phrase "by 468" and insert – by 533 days--